IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
**CIVIL APPLICATION NO. 1780 OF 2005**
**IN**
**CIVIL APPLICATION NO. 1687 OF 2004**
**IN**
**SECOND APPEAL NO. 563 OF 2004**

Shri Bhimrao Ranoji Sutar.. .... Applicant.

Versus

Annappa Tukaram Chavan (since decd.) by his L. Rs. Pandurang Annappa Chavan & Ors..... Respondents.

Ms.K. S. Kambli with Mr. D.V.Sutar for the Applicant.

Mr. R.P.Walvekar for Respondent Nos.1(a) to 1(f).

**CORAM : ANOOP V. MOHTA, J.**

**DATED : 8TH DECEMBER, 2005.**

**P.C. :**

Heard. Considering the averments made in the application and the age of the applicant, who is 66 years old and having suffering from various diseases, I see no reason to not grant this application for condonation of delay in restoring of Second Appeal which was dismissed on 16th June, 2005. Accordingly, the application is granted in terms of prayer clause (a) subject to payment of costs of Rs.500/- to be paid to the respondents within two weeks. In the result, the interim order which was granted shall also be restored and to continue.

Civil Application is disposed of, accordingly.

Sd/-

**(ANOOP V. MOHTA, J.)**